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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 1297 **/2005** Single Bench

Petitioner

Bhagwandas Dwivedi, S/o. Shri Bala Prasad Dwivedi, aged about 45 years, Revenue Inspector, Land Records, Collectorate, Dakshin Bastar Dantewada (C.G.).

P.R. No. 1287/05
Presented by Shri S.S. Rajput
dated 24-03-05

VERSUS

Respondents

1. Union of India, Through The Secretary, Department of Personal & Training, 3rd Floor, Lok Nayak Bhawan, Khan Market, New Delhi
2. State of Madhya Pradesh, Through-Secretary, Department of Revenue, Vallabh Bhawan, Bhopal (M.P.)
3. State of Chhattisgarh, Through Secretary, Department of Revenue, Mantralaya, D.K.S. Bhawan, Raipur (C.G.)
4. Collector Dakshin Bastar Dantewada, (C.G.)

R/C Thakur 24/3/05

THAKUR VIJAY SINGH
Asst. Govt. of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

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Writ Petition Under Article 226 of the Constitution of India

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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मामला क्रमांक W.P. 1297/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	5.4.2005 Shri Sachin Singh Rajput, counsel for the petitioner. Shri R. S. Baghel, Additional Central Govt. Standing Counsel takes notice on behalf of respondent No.1. Shri Sudhir Agrawal, Panel Lawyer takes notice on behalf of respondent No.3 & 4. By this writ petition under Article 226/227 of the Constitution of India the petitioner has prayed for issuance of writ of mandamus for allocation of the petitioner's service to the State of M.P. The petitioner's case is that he was appointed as Patwari in the year 1987 at Umariya (M.P.). Thereafter, vide Annexure P-1 he was promoted to the post of Revenue Inspector and transferred at the Office of Settlement, Bastar and till now he is working at Bastar. On creation of the State of C.G. out of State of M.P. on 7.9.2000 vide Annexure P-2 the petitioner submitted his option to be allocated to the State of M.P. Despite the option given by the petitioner and after passing sufficient time the petitioner did not receive his allocation order or informed otherwise, therefore, the petitioner made a representation to the State of C.G. (Annexure P-3). Thereafter, the petitioner again submitted his option in the required format and consequently respondent No.4 vide letter dated 1.8.2003 forwarded the option of petitioner along with other Revenue Inspectors (Annexure P-4), but even then nothing is being heard by the petitioner. Learned counsel for the petitioner submitted that in view of the provisions of sub-section (1) of Section 68 of Reorganization Act, 2000 "*every person who immediately before the appointed day is serving in connection with the affairs of the existing State of M.P. shall continue to serve provisionally in connection with* (पीछे देखिये)	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the affairs of State of M.P. unless he is required by general or special order of the Central Government to serve provisionally in connection with the affairs of the State of C.G. He further submitted that no order of allocation of the service of the petitioner to the State of C.G. has been passed, therefore, as per this provision the petitioner is required to continue in services of the State of M.P. Learned counsel for the petitioner further submitted that the petitioner may be allowed to make a detailed representation to the Union of India through the State of Chhattisgarh raising all his grievances and Union of India & State of C.G. be directed to decide the representation in accordance with law, to which learned counsel for the respondents have no objection.

Having heard learned counsel for the parties & having regard to the facts and circumstances of the case, I am of the opinion that it is just and proper to allow the petitioner to make a representation raising all his grievances to Union of India through State of C.G. within a period of one month from today and in turn Union of India & State of C.G. to consider his representation and decide the same in accordance with law within another period of three months from the date of receipt of representation.

With the direction aforesaid, the petition stands disposed of.

Consequently, I.A. No.2488/05 stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

(पीछे देखिये)